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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/521,852	01/21/2005	Lukas Kupper	DE 020226	6195

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EXAMINER

SANEI, HANA ASMAT

ART UNIT PAPER NUMBER

2879

DATE MAILED: 09/11/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

**Office Action Summary**

Application No.

10/521,852

Applicant(s)

KUPPER ET AL.

Examiner

Hana A. Sanei

Art Unit

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

**Period for Reply**

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

**Status**

- 1) ☒ Responsive to communication(s) filed on 22 June 2006.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

**Disposition of Claims**

- 4) ☒ Claim(s) 1-10 and 13-16 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☒ Claim(s) 16 is/are allowed.
- 6) ☒ Claim(s) 1-10 and 13-15 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

**Application Papers**

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 22 June 2006 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

**Priority under 35 U.S.C. § 119**

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All b) ☐ Some \* c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
  2. ☒ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

**Attachment(s)**

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)  
Paper No(s)/Mail Date \_\_\_\_\_.
- 4) ☐ Interview Summary (PTO-413)  
Paper No(s)/Mail Date. \_\_\_\_\_.
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: \_\_\_\_\_.

## **DETAILED ACTION**

### ***Response to Amendment***

The Amendment, filed on 6/22/06, has been entered and acknowledged by the Examiner.

Cancellation of claims 11-12 has been entered.

Claims 1-10, 13-16 are pending in the instant application

Examiner acknowledges the new title, abstract and modified drawings and approves.

### ***Priority***

Receipt is acknowledged of papers submitted under 35 U.S.C. 119(a)-(d), which papers have been placed of record in the file.

### ***Claim Rejections - 35 USC § 102***

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

1. Claims 1-4, 7-8, 10, 13-15 are rejected under 35 U.S.C. 102(e) as being anticipated by Israel et al (US 6462465 B1).

Regarding Claim 1, Israel teaches a lamp which radiates visible light and infrared light (see at least Fig. 4), having a lamp bulb (26, see at least Fig. 3) comprises at least

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a first region (20, left most portion of 26) which is at least partly permeable to infrared light and at least partly impermeable to white light (90% reflectance of visible light having a wavelength between **about** 400 nm to 800 nm, and 80% transmittance of infrared radiation having a wavelength greater than 900 nm, Col. 2, lines 41-50, see also graph Fig. 6), and at least a second region which is wholly or partly permeable at least to white light (24, light-transmissive portion, right most portion of 26).

Regarding Claim 2, Israel teaches that the first region has a filter coating (20.

Regarding Claim 3, Israel teaches that the filter coating forms a semi-circular shell (Fig. 2).

Regarding Claim 4, Israel teaches that the filter coating envelops the bulb (the bulb here is referenced the whole of 26).

Regarding Claim 7, Israel teaches a means safeguarding a neutral color impression within a white region are arranged on the lamp bulb (20, 90% reflectance of visible light having a wavelength between **about** 400 nm to 800 nm, and 80% transmittance of infrared radiation having a wavelength greater than 900 nm, Col. 2, lines 41-50, see also graph Fig. 6).

Regarding Claim 8, Israel teaches that a means that reflect infrared light at least partly into the first region are arranged in the second region (refer now to Fig. 4).

Regarding Claim 9, Israel teaches that the lamp is constructed as a halogen lamp in a gas discharge lamp (arc lamp, such as lamp disclosed in co-owned U.S. Pat. No. 4918352 to Hess, metal halide, Col. 4, lines 7-12).

Regarding Claim 10, Israel teaches a lamp radiating visible light, UV light, and infrared light (see at least Fig. 4), having a lamp bulb (26, see at least Fig. 3) comprising at least a first region (20, left most portion of 26) which is at least partly permeable to UV light and infrared light and at least partly impermeable to visible light (90% reflectance of visible light having a wavelength between **about** 400 nm to 800 nm, and 80% transmittance of infrared radiation having a wavelength greater than 900 nm, Col. 2, lines 41-50, see also graph Fig. 6), and at least a second region which is wholly or partly permeable at least to visible light (24, light-transmissive portion, right most portion of 26). It should be noted that Fig. 6 accordingly takes into account the transmittance of residual ultraviolet rays (200 – 380 nm) as the transmittance peak overlaps the region of about below 380 nm of Fig. 6.

Regarding Claim 13, Israel teaches a shield (22, longitudinal edges of 20) separating the first region and the second region, the shield allowing passage of the infrared light to the first region and blocking the white light (longitudinal edges 22 coated after cylinder 10 is divided, Col. 3, lines 14-19).

Regarding Claim 14, Israel teaches that the first region includes at least one extremity of the lamp and one side of the lamp (Fig. 4).

Regarding Claim 15, Israel teaches that the second region includes a coating that reflects the infrared light to the first region (reflectance of overlap of 20 and 24 in direct contact, Fig. 4).

***Claim Rejections - 35 USC § 103***

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

2. Claims 5-6 are rejected under 35 U.S.C. 103(a) as being unpatentable over Israel et al (US 6462465 B1) in view of Kiesel (US 4801845).

Regarding Claim 5, Israel teaches the invention set forth above (see rejection in Claim 1 above) and further teaches an incandescent light source (40, Col. 4, lines 7-9). Israel fails to exemplify the use of two incandescent filaments, as Israel is silent regarding the number of filaments.

In the same field of endeavor, Kiesel teaches two incandescent filaments (6, 7, see at least Fig. 2) for halogen incandescent lamp structure as conventional in the art. Kiesel teaches the suitability of using a halogen incandescent lamp structure formed of a two incandescent filaments for the purpose of providing a dual-filament automotive-type lamp to have a high beam/low beam configuration for vehicular use and safety (Col. 3, lines 55-63). It should be noted that Israel's filter coating inherently coats one of the envelopes of the two incandescent filaments, as applicant does not negate the possibility of coating both of the envelopes and not "only" one of the envelopes.

Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to modify the incandescent filament type, as disclosed by

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Kiesel, in the lamp of Israel in order to ensure a dual-filament automotive-type lamp to have a high beam/low beam configuration for vehicular use and safety and to choose from one of the filament types disclosed by Kiesel, since Kiesel teaches the suitability of using a halogen lamp formed of a two incandescent filaments and it has been held to be within the general skill of an artisan to select a known material on the basis of the intended use.

Regarding Claim 6, Israel-Kiesel teaches that the filter coating (20, left most portion of 26, see Fig. 6 of '465) is provided on a shield (11, Fig. 4 of '845). It should be noted that while the filter coating is not "directly coated on" the shield, it is nonetheless inherently "coated on" the shield.

***Allowable Subject Matter***

Claim 16 is allowed over the prior art of record.

The following is an examiner's statement of reasons for allowance:

The prior art of record teaches a light source for providing source light including visible light, UV light and infrared light; a reflector configured to reflect the source light, the reflector having an upper sector for reflecting the source light downward to form a low beam, and a lower sector for reflecting the source light upward to form a high beam, the high beam having a higher direction than the low beam, a screen configured to be receive the high beam from the lower sector

However, the prior art of record neither shows nor suggests a motivation for modifying the screen configured to substantially pass the UV light and the infrared light and block the visible light as set forth in Claim 16.

***Other Art Cited***

Albou et al (US 2003/0202358) teaches a lamp provided with a "screen" 203, Fig. 2, that may function either as an IR filter (only permitting IR rays to pass) or as a UV filter (only permitting UV rays to pass).

Kopboyashi et al (US 2001/0019482 A1) teaches a lamp provided with a "screen," Fig. 12.

***Conclusion***

Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP § 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire **THREE MONTHS** from the mailing date of this action. In the event a first reply is filed within **TWO MONTHS** of the mailing date of this final action and the advisory action is not mailed until after the end of the **THREE-MONTH** shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than **SIX MONTHS** from the date of this final action.



***Contact Information***

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Hana A. Sanei whose telephone number is (571) 272-8654. The examiner can normally be reached on Monday- Friday, 9 am - 5 pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Nimeshkumar D. Patel can be reached on (571) 272-2457. The fax phone number for the organization where this application or proceeding is assigned is (571) 273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).



Hana A. Sanei  
Examiner



Joseph Williams  
Primary Examiner